

Please type a plus sign (+) inside this box



EXPRESS MAIL NO. EL487808845US

PTO/SB/81 (10-00)

Approved for use through 10/31/2002, OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**ELECTION AND POWER OF  
ATTORNEY OR  
AUTHORIZATION OF AGENT**

Application Number	
Filing Date	Filed Herewith
First Named Inventor	Neil S. Cutshall
Group Art Unit	
Examiner Name	
Attorney Docket Number	240083.514

I hereby appoint:

Practitioners at Seed IP Law Group PLLC

OR

Practitioner(s) named below:

Name	Registration Number



as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

The above-mentioned Customer Number.

OR

<input type="checkbox"/> Firm or Individual Name			
Address			
Address			
City	State	ZIP	
Country			
Telephone	Fax		

I am the:

Applicant/Inventor.

Assignee of record of the entire interest. See 37 CFR 3.71.

*Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).*

As assignee of record of the entire interest hereby elect, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventor

**SIGNATURE of Applicant or Assignee of Record**

Name	John A.D. Slater
Signature	
Date	December 10, 2001

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.

Submit multiple forms if more than one signature is required, see below\*.

\*Total of forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Neil S. Cutshall et al.Application No./Patent No.: \_\_\_\_\_ Filed/Issue Date: Filed HerewithEntitled: PHARMACEUTICAL USES AND SYNTHESIS OF NICOTINANILIDE-N-OXIDESDarwin Discovery Ltd.

(Name of Assignee)

a \_\_\_\_\_

Corporation(Type of Assignee, e.g., corporation, partnership,  
university, government agency, etc.)

states that it is:

- the assignee of the entire right, title, and interest; or
- an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A.  An assignment from the inventor(s) of the patent application/patent identified above.  
The assignment was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the  
current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached

2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached

3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

- Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

December 10, 2001

Date

John A.D. Slater

Typed or printed name

Signature

Company Secretary

Title

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Docket No. 240083.514

D:\NrPortbl\Manage\MICHELLEO\239280\_1.DOC [09-14-01]

## ASSIGNMENT

WHEREAS, we, Neil S. Cutshall and Kraig M. Yager (hereinafter referred to as ASSIGNORS), having mailing addresses of 2408 101<sup>st</sup> Street Southeast, Everett, Washington 98208 and 6832 Skipley Road, Snohomish, Washington 98290, respectively, are the joint inventors of an invention entitled "PHARMACEUTICAL USES AND SYNTHESIS OF NICOTINANILIDE-N-OXIDES," as described and claimed in the specification forming part of an application for United States letters patent executed on December 6, 2001 and December 7, 2001. This application claims the benefit of Provisional Application No. 60/258,730, filed on December 29, 2000.

WHEREAS, Darwin Discovery Ltd. (hereinafter referred to as ASSIGNEE), an organization having a place of business at 208 Bath Road, Slough, United Kingdom S11 3WE, is desirous of acquiring the entire right, title and interest in and to the invention and in and to any letters patent that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign and transfer unto said ASSIGNEE, the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns for their use and benefit and of their successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNORS had this assignment, transfer and sale not been made. ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. ASSIGNORS agree to execute all instruments and documents

required for the making and prosecution of applications for United States and foreign letters patent on said invention, for litigation regarding said letters patent, or for the purpose of protecting title to said invention or letters patent therefor.

12/16/01  
Date

Neil S. Cutshall

State of Washington )  
                       )  
                       ) ss.  
County of Snohomish )

I certify that I know or have satisfactory evidence that Neil S. Cutshall is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated December 16, 2001  
Signature of  
Notary Public Marilyn N. Singer  
Printed Name Marilyn N. Singer  
My appointment expires January 22, 2005



Date12/7/2001Kraig M. Yager

State of Washington )  
                        )  
                        ) ss.  
County of Snohomish )

I certify that I know or have satisfactory evidence that Kraig M. Yager is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated December 7, 2001Signature of  
Notary PublicPrinted Name Marilyn N. SingerMy appointment expires January 22, 2005

D:\NrPortbl\iManage\MICHELLEO\238536\_1.DOC  
(CR1:mlo) Docket No.

40015856 142726

PTO/SB/01A (10-00).

Approved for use through 10/31/2002. OMB 0651-0032. U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention	PHARMACEUTICAL USES AND SYNTHESIS OF NICOTINANILIDE-N-OXIDES
--------------------	--

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- The attached application, or  
 Application No. \_\_\_\_\_, filed on \_\_\_\_\_,  
 as amended on \_\_\_\_\_ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

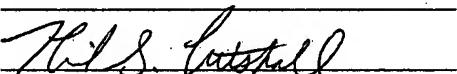
I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

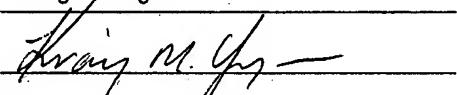
All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

### FULL NAME OF INVENTOR(S)

Inventor one: Neil S. Cutshall Citizen of: United States

Signature:  Date: 12/6/01

Inventor two: Kraig M. Yager Citizen of: United States

Signature:  Date: 12/7/2001

Inventor three: \_\_\_\_\_ Citizen of: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Inventor four: \_\_\_\_\_ Citizen of: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Additional inventors are being named on \_\_\_\_\_ additional form(s) attached hereto.

Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. Docket No.240083.514.